

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

PUERTO RICO AMERICAN
INSURANCE CO., et al.

Plaintiffs

v.

CARLOS H. BURGOS DIAZ,
et al.

Defendants

*
*
*
*
*
*
*
*
*

Civil No. 01-1186(SEC)

ORDER TO FILE

The instant action was filed on February 14, 2001. At this juncture, discovery has concluded and the deadline for filing dispositive motions has elapsed (the deadline to oppose some of these dispositive motions has not yet expired). Default and partial judgment by default has been entered against many Co-defendants. However, upon reviewing the list of active Co-defendants provided by Plaintiffs in Docket # 909, the Court notes that there are still numerous Co-defendants against whom Plaintiffs have not sought the entry of summary judgment nor the entry of default judgment (see Exhibit 1 attached herein and listing those Co-defendants against whom summary judgment nor default judgment has been requested). Accordingly, the Court cannot ascertain Plaintiffs' intentions as to said Co-defendants. That is, whether Plaintiffs intend to pursue the settlement of these claims, seek the entry of default judgment, voluntary dismiss these claims, or go to trial against said Co-defendants.

For the benefit of all parties we will outline the matters that are pending resolution by the Court:

1. Certain discovery disputes which will be resolved after the adjudication of the pending dispositive motions- Dockets ## 833 & 835.
2. Two (2) motions for reconsideration- Dockets ## 899 & 900.
3. Dispositive motions- Dockets ## 962, 966, 967, 970, 974, 975, 979, 984, 986, 990, 993, 996, 999, 1005, 1010-1016.

Civil No. 01-1186(SEC)

2

The Court will rule on the pending dispositive motions shortly after all oppositions have been filed or after the time allotted for said filings has expired. However, given that this case has been pending for more than five (5) years, we issue the following directives for the remainder of the proceedings in the litigation of this case:

1. Plaintiffs are **ORDERED** to file a second Status Report pertaining to all Co-defendants in **Exhibit 1** by **May 5, 2006**.

2. Plaintiffs are further **ORDERED** to file by **June 9, 2006** any remaining requests for entry of default and/or default judgment against any Co-defendant(s) in **Exhibit 1** who has to date failed to appear and defend himself.

3. Plaintiffs are further **ORDERED** to inform the Court by **June 9, 2006** of the outcome of their settlement negotiations with any Co-defendant(s) in **Exhibit 1** and/or file stipulation for dismissal of their claims against said Co-defendant(s).

After these filings and issuing a ruling on the pending dispositive motions, the Court will set a date for the filing of the Joint Pretrial Memorandum and schedule a Pretrial and Settlement Conference. The Court plans to schedule trial for sometime in the year 2006.

SO ORDERED.

In San Juan, Puerto Rico, this 6th day of April, 2006.

S/ Salvador E. Casellas
SALVADOR E. CASELLAS
U.S. Senior District Judge